INFORMATION FOR THE CURIOUS.

A Possessor of the Cardinal Virtues With Some Slight Flaws.

HIS CARRER FROM MAJOR TO PRESIDENT.

The Star of Destiny Wandering Amid the Elective Franchise.

PHILADELPHIA, May 4, 1877. Rutherford B. Hayes is the President of the United memorable in the history of this century. Never did the candidate of a great political party for the highest sfice in the land stand before the people in a stronger glare of light and heat. Never was the throne of the tepublic attained after so close and remarkable a struggle, and seldom has its occupant been burdened with such grave responsibilities. Yet President Hayes is probably as little known to the people of the United tes as any Chief Magistrate who ever took his seat. So little seems to have found its way into the newspapers as to his personality—who and what manner of man he is—that one-half the worthy people whose rephe is to be classified between the extremes of the commonplace figurehead and the brilliant and accomplished statesman. It was with considerable pleasure, therefore, that I happened to meet on a the honor of acquaintance and intimate friendship with President Hayes. A brief political discussion and a more protracted interview before the sentleman left I have thought that, even omitting what was told me in confidence, and whatever would be injumight still remain something about President Haves which might be of interest to the readers of the HERALD : and I have, therefore, with my friend's permission, written out a portion of the conversation. My informant is a gentleman in close friendship with the President, and whose name is well known throughout the

Of course among my first questions was, "How long

bave you known President Hayes?"
"The first time I met him was in the spring or sumthe Twenty-third Ohio volunteer regiment, of which William S. Rosecrans was colonel and Stanley Matthews lieutenant colonel. He was thirty-eight or thirty-nine years old, and did not look much different then from sider now. A curious thing about him in the army was that he always were gloves, whether in or out of anilorm, an unprecedented thing then in a Western regiment. He always seemed a clean handed sort of a the army, but the first lift he got into really setive public life was when he was nominated for Governor

There was a big fight and it was a memorable strug-Cowan, afterward Assistant Secretary of the Interior under Delano, and J. Warron Keifer, now a member of There was an attempt made to put Cox on the track again. Then Bob Schenck was brought out as a candi-date, but on the second or third ballot he declined. There were two wings in the republican party, one headed by Cowan, the other by William Henry Smith.

It was a battle of the giants, and in the end the Smith for Governor. He beat Thurman, the democratic car didate, and dragged through with only 2,900 majority, practically in the hands of the democrats. Next term jorny. After serving this second term he went out to

greas from the Second district against his protest. He was delented. This was the only time I ever knew reated four new United States sub-treasuries, and Grant appointed Hayes Assistant United States Troas urer at Cincinnati, but he declined and a candidate of

Fremout to live, on the Burchard estate, which he has since inherited. Always prior to his last election as By the way, he is the second President of the United States that this county has furnished. Harrison was

"Is Hayes a radical republican?"
"Without any doubt he is the blackest sort of a one,

John Sherman went in."

In 1866 he was in the Thirty-ninth Congress. In his delegation was a first rate fellow named Hubbell, from the Eighth Ohio district, called the Delaware district,

delegation was a first rate fellow named Hubbell, from the Eighth Ohio district, called the Delaware district, where Hayes was born. Hayes had a great liking for Hubbell, who was an amable sort of a men, but not stiff-backed enough in his republicanism to suit Hayes, who was always reproaching him for it. One day he said to him, 'Now, Hubbell, I leel perfectly certain that you will turn up in the democratic party,' and so he did. He was afterward a Johnson man,''

THE LUCKIRST MAN IN AMERICA.

"I consider him the luckiest man in America. He is Fortune's darling. I never saw an indication that he wanted position, but it has somehow always seemed to come to nim. He has always got just what he wanted position, but it has somehow always seemed to come to nim. He has always got just what he wanted and has been in exalted positions sill his life. He is a man of destiny. He believes implicitly in his own good fortune, and well he may. There is a quant vein of supersitions in his character. I suppose we all are supersitions, more or less, if we'll only admit it. He told a certain general not long ago that he had often noticed that soldiers would never fight so well the morning after they had seen the moon over their left shoulter if anybody had called their attention to it. In the big fight for the Governoroship in 1867, when the result hung in the balance for days, and men on both sides were wild with excitement. Hayes was perfectly caim, and when he was telegraphed to that he had been elected Governor of the State by just about 2,900 votes he did not appear surprised. Several days afterward, when he met a friend, he said to him that he had known for days that he was to be elected, because one night ne was passing the Cincinnati Gozete office and he nappened to look up and saw the new moon over his right shoulder. "I knew then I was elected," said ue, and he added, "the only time I ever saw the noon real crookedly over my left shoulder was the night before I was anot in battle," I could give you some more stories to i

anounder was the night before I was snot in battle. It is superstition, but—"
"Go on! I wish you would."
"No; it might injure him among people who don't understand him. We musn't allow the world to know all the woaknesses of a great man."
"This supreme confidence in his own good fortone—does it always inspire him?"
"Always. His good luck has nover failed him, and he has learned to believe in it implicitly."
"How did he feel during the long period of doubt after the Presidential election, when the country did not know who was elected?"
"Hayse never for a moment seemed to doubt that he had been the choice of the people and that it would be so decided. Do you renumber how anxiously we watched the counting of the electoral votes toward the closuring day, uncertain how it would be decided? During that time Hayes was on his way to Washington to be inaugurated as the President of the United States, And he was."

"By the way, after the election a friend asked him how he accounted for the small republican majority Ohio gave last fail. Hayes replied:—'I was passing through a village in the State one day before the election and I saw a house in course of construction. It had a maneard root which had just been covered with bright tin. Some one had taken a brush of black paint and marked in large letters on one side of the roof:—

HAYES AND HARD TIMES

He didn't say any more."
"Was there any bargain and sale about getting him in?" On Hayes' part, no. With some of his zealous

HIS SOUTHERN POLICY.

mises and conciliation are not altogother in the spirit of the radical republican party?"

"Hayes is a lovel-headed, shrewd man. I don't know how to define his obstacter better than to say that he is a good business man. He is not a brilliant man, but he is exceedingly careful. He is just shrewd enough to see Grant in his Southern policy was not acceptable to the whole country, and Hayes' endeavors now are to try, with all the care he can, to avoid the misuakes that Grant made. He is trying to see if the misuakes that Grant made. He is trying to see if the misuakes that Grant made. He is trying to see if the mountry won't drift into peace in its own way. I feel save it woo't, and when Hayes aces that, too, and learns that vizorous measures are needed he will use them. Now he seems all softness, peace and gentieness, but if there is any lawlesses, any rioting down South, let them beware! They will find what a heavy hand he has. There is a hard of iron within the velvet glove. I see the Herather expressed some surprise yesterday that Hayes should remain so firm in carrying out this policy in defiance of the politicians, but if the editor knew what Hayes' real character is he wouldn't feel much wonder. He is one of the firmest, most unyielding of men when he thinks he is right."

"What are his tastes, intellectually I mean?"
"Well, he is a man of iair education, but the most perservering, internal searcher after knowledge that I think the world ever saw."
"On what subjects?"
"Why, anything and everything. He has 'queer boxes' where he collects and keeps all sorts of odds and ends, and I reckon it is about the queerest maseum you ever saw. Why, when I was walking with him one day he picked up a round, smooth bo where of conglomerate, the asked me what it was and how it got to be round. I did not then know that it was the attrition of water that had worn it smooth, and he walked me a long distance and up three flights of stairs until we found a man that did know."

that had worn it smooth, and he waiked me a long distance and up three flights of starts until we found a man that did know."

"He is a good hunter—a mighty son of Nimrod—used to be a good baseball piayer, and is yet very fond of waiking, with a good awinging gait."

"What are his social habits?"

"His home-life is beautiful. He loves children and they love him, and he unuends to them, but he has more adaptability than any man I ever saw. He seems to be at ease is whatever society he happens to be. He is fond of tun in a quiet way and does love a good story. Whenever he says anything good himself it is always in a quiet, odd sort of way. I remember when he was flovernor of Ohio, during his first term, Olive Logan, while on a lecturing tour, was arrested in Columbus for not paying the manicipal ilcense which the proprietors of all public entertainments have to pay. She had a licelise under the Internal Revenue law, and she supposed it covered the whole of the United States. Knowing Governor Hayes she called upon him and teld him of her troubles. He referred her to a law frm and said to her. 'Of course you will have to pay the license. I cannot do anything for you unless you will dominit a leiony and get into the Pententiary. Then I might pardon you out.' The lecturer did not avail herself of the Governor's offer."

"When he is out with "the boys' he can enjoy himself iske a boy, and is as juil of fun as any of them. He is simple and irugal in his tastes and habits, and has never been extravagant. He is very businessities. His estate is not large, and there are certain annuities that he must pay out of it that have prevented him being a rich man. He likes books, except those that are abstrusely scientific, and is a student and reader of general literature. He is always up on the current publications of the day. He likes to talk of what he reads, but will not talk on public questions unless he chooses. He is almost as roticent in political mattors among his intimate friends as to the public. If do not think he tak

"No, air; when he has once made up his mind to do anything nothing on earth can stop him."

"Who all is friends are closest to him?"

"Well, Governor Denison, always his warm friend; Governor Noyos, General Mitchell, Hayes' nephew; General Beatty, ex-member of Congress from the Cardington district. Raiph P. Bucktand is his close iriond and Stanley Matthews is his crony. Among his most intimate and useful friends is General Comby, editor of the Columbus Journal. He and Bickham, of the Dayton Journal, are the men who personally and through their papers held on to Hayes for the Presidential nomination when he had very few friends. Their influence, especially Comby's, did more to aid his nomination, probably, than any other two men in Ohio could have done. Bickham's broober-in-law, Corbin, is the President's military secretary."

"Is it true that Stanley Matthews is nearest to the throne?"

"Is it true that Stanley Matthews is nearest to the throne?"
"No nearer than some of the others whose names I have mentioned. I do not think any one man or set of men can control the President."
"By the way, what are Mr. Matthews' political onlinoins?" opinions?"
"I don't know; I haven't seen the newspapers this

"I don't know; I haven't seen the newspapers this morning."

HAYER' LUCK AGAIN.

"Talking of the President's tastes outside of his official life, is he as found of cards as a relaxation as most of you Western men are?" Do you suppose he has over read his old colleague's (Bob Senenck) book on poker and profited by it?"

"I don't know whether he has or not; but if he ever does and takes it up, the Lord help the boys. If his good luck holds out and he is as thorough in that as in everything else he has done there will be nothing left in the pot."

"Is he a communicative man among his particularly mitimate friends?"

"No; he certainly is not. He is reticent, but he is the best listener I have ever seen, and he will weigh every word you have to say and then ask for more without a sign to indicate what he thinks. He is a fair judge of men. He is what the world will call a plain, sensible man, a thoroughly good man, and all-fired cantious. But he won't talk much."

"He is flut a good subject for an interviewer, then?"

"Oh, yes; first rate; if you ask the questions and anawer them."

"It he finds that his policy of conciliation is a failure wiff he give it up gracefully, or will be stick to it?"

"No. He will break for cover as though the devil were after him, and take a new course. His tirmness is not obstinacy. That he is not firmly wedded to this plan of conciliation I know; but he will give it a fair trial. He wants to see if the question won't isettle itself, with a little assistance in a conciliatory war."

obstinacy. That he is not firmly wedded to this plan of conciliation I know; but he will give it a fair trial. He wants to see if the question won't settle itself, with a little assistance in a conciliatory way."

A Will ROUNDED MAN.

"Is Hayes a great man, in your opinion?"

"Well," (considering) "of all the men in public life of my acquaintance, and it is very large—let me see; as the District Attorney of Cincinnati, in the different grades of the army, from Major up to Brigadier Geueral; as a member of Congress twice, as Governor of his State three times, as member of various boards and public bodies, he has always filled the bill acceptably. He may not be a great man, but he is certainly a well rounded, full man. No, he is not a brilliant man, but he is a good, thorough man of business."

"How will Hayes wear?"

"Nobody looks for him to last more than eight years."

"He has got a heap of leather in him. He

"How will Hayes wear?"

"Nobody looks for him to last more than eight years."

"He has got a heap of leather in him. He will stay a long time."

"I suppose that's one of your Western expressions. Where do you get it from? Is it an idea borrowed from Shakespeare, where he makes the gravedigger in 'Hamlet' say, 'A tanner will last you nine year?"

"Yes, I suppose tis, I want to tell you something that will show you what a shrewd fellow he is. It had been a practice in Unio for the party in power in the State to have all boards of trustees, such as the State Prison Board, composed of their own party lattice entirely. When Hayes was Governor he broke through this rule. The Governor of Onio has no veto power, out he sent to the republican Sonato for confirmation a list of trustees for various institutions in which was a representative democration course, some of the Senators objected to confirming him, but hayes settled the matter by saying that in case there were any improprieties committed he would have his share of blame. He did not want to give the democrats of the State a channe to say, if anything wrong was discovered in the Board, that the republicans had been the only girlity ones. By putting democrats to share in these offices he made their own party assume the responsibility of their good behaven. See?"

PRESIDENT HAYES IN THE SOUTH.

PRESIDENT HAYES IN THE SOUTH.

VIEWS OF A VETEBAN SOUTHERN STAGE MAN-AGER-PRACTICAL IDEAS ABOUT THE REVIVAL OF THE WHIG PARTY-A GEAND "PEACE CEN-

TENNIAL FOR 1883." Among those portions of an intelligent community who are about the first to receive a reflex of popular sentiment in times of political agitation are managers and actors of respectable theatres. The utterance of an expression on the stage touching passing and pressing events is instantly received with a tumult of approbation or loud expressions of dissent, according to the temper of the audience. Hence the observing theatrical manager is well able to judge of what will suit the popular taste and act accordingly. He also mingles with representative people of all shades of political opinion, and if he has a taste that way be can form an aubiassed judgment of stirring events and render an unprejudiced opinion thereupon. A well known theatrical manager and actor of thi type is now in this city-Mr. Harry Watkins, Mr. Vatkins has seen pro essional service for some forty years in the South, although a native of New York. He has been manager of several of the principal Southera theatres, and has performed leading characters in all the standard dramas. He has mingled freely in Southern society and talked politics with many of the prominent Southern leaders. With the view of ascertaining the views of this gentleman on the leading political topics of the day, so far as the South was concerned, a lightato reporter held a conversation with Mr. Watkins, the nature of which may be gloaned from

THE PRESIDENT'S SOUTHERN POLICE "The action of the President in regard to South Carolina and Louisiana," said Mr. Watkins, "has wrought a wonderful transformation; for the people of wrought a wonderful transformation; for the people of those States have now gained what they have been struggling for during the past twelve years—the right of self-government—and their future is now in their own hands. At last it seems as if the Southern quis-tion' was removed from the arens of politics—that the union of bearts will soon displace the unnatural union of force. What a blessing is will prove if the Press-

"Of course politicians will oppose the formation of new parties, and public men in their snawer to reportorial interviews will prove extremely non-committal, or deny the necessity of a new departure altogether. And why should not the whig party be revived? The name of whig is associated with the memory of the fathers of the Republic, yet it is spoken of only as the party which died with Clay and Webster.

CENTENNAL OF PRACE IN 1882.

"It is the synonym of patriotism. The name under which Washingtos, Jefferson, Frankin and all the statesmen and soldiers of the Revolution created a nation whose struggles for liberty will form centennial anniversaries during the next seven years, culminating in the Centennial of Peace' in 1883.—the centennial anniversary of the treaty of peace with Great Britain at Gheat. That chimax of our national holidays must be celebrated heart and soul by the whole American people.

days must be celebrated heart and soul by the whole American people.

"Just previous to the nomination of the last Presidential candidates." said Mr. Wasking, "I was making a tour of the Southern States and chanced on one occasion to form one of a large company of gentlemen from both sections of the country. Naturally, the subject of politics was breached, and I advanced the idea that as the next Presidential election would occur in the centennial of peace, the people should forget their present party affiliations and place at the head of the government some man possessed of sufficient statesmanship to remember only that he was President of the United States, and that as such his sole laber should be to work for the good of the whole country.

IS HAVES TO BE THE CANDIDATE OF THE NEW WHICE PARTY?

"You ask, 'Is it possible that accident has given us just such a man in the person of President Hayes?' Time will tell. I also suggested that the party of the people should adopt the old time-honored name of whig. The diea was received with such unanimity of feeling that I determined to seize upon every favorable occasion for testing public opinion on this sub-

winds aveniverse.

"Numerous opportunities were afforded me, and everywhere I found the idea of a revival of the 'while party of '76' warmly welcomed. But as a distinguished Southern gentieman said, the pending election was too near at hand for such a movement; that the controling influence of the party in power would insist upon fighting the coming campaign under the old banner of the 'bloody shirt,' and they of the South were powerless to prevent it. They could only patiently wait for an epportunity to prove by deeds the sincerity of their words.

Words.

HAS THE OPPORTUNITY ARRIVED?

"The opportunity has arrived somer than the majority of the Southern people dared hope for, and after long years of social intercourse and business relations with the leading representatives of that section I feel assured," continued Mr. Watkins, "they will demonstrate the sincerity of their declarations and convince President Hayes and those who approve his manner of pacilication that their confidence was not nisplaced when they trusted to the honor of Southern men."

PRESIDENT HAYES' DEPARTURE.

Portland (Me.) Argus:-"Now the anti-Hayes re publicans of Maine are anxious in spirit. Resolutions indorsing Hayes and his Southern policy in their sp. proaching State Convention are the spectre that

Cincinnati Enquirer:-"We ask the Southern people to remember that they can thank Hayes for nothing, unless it be for plunging the republican party into a maeistrom of turmoil, if not into dissolution."

Petersburg (Va.) Index and Appeal:—"If Mr. Hayes

operations in the organization of a new departure and will make the administration truly conservative with If they hope to pervert the name and memory of the old whig party to the dissolution of the democratic party and the dismemberment of the sould South, they do but show themselves ignorant of the state of political feeling and the nature of political conduct on the part of the Southern people and unfit for the mission to which they apparently propose to devote them-

Hartford (Conn.) Times:- "This feeling of discontent and ugliness is a rising feeling in the republican ranks. At the coming extra session, which meets on the 4th of June, we shall look to see it crystallize into a more tangible and practical shape, "

coward and a hypocrite. He is honest enough, as this world goes, for he wouldn't rob a hen roost, but is a weakling. He has none of the elements of a commander, and he has done nothing, and such a man build his party, if he builds it, upon what he has done for the Southern people in withdrawing troops from interference with State governments. What credit belongs to him for this?

try are not asleep. Many of them are getting very tired of this "now party" twaddle, and if it was beidea of the formation of a new party on any platform out a following among republicans. The party would drop him as quick and decidedly as they did Andrew prebension. This is a day of trouble, and we shall have to abide our share of it.

REAL ESTATE.

ternay were as follows:-

Public auction of a builder's sense of a piot of land, 200 f0x10x10x10, on av. a., between 58th and 59th sta, to John Stokes...

Livingston.

Strong av., n. s., 200 ft. e, of Union av., 20x120
(23d wars); same to same.

126m et., a. s. 350,3 ft. e of 7th av., 189x19,11; M.
ieype, referee, to Kate B. Beinni.

126th st., a. s. 300 h. e. of 7th av., 189x19411; V. J.
Admir to wars. Adams to same.

720 st., a. a., between 11th and 12th ava; John Braden to Alice H. Quackantush.

80th st., n. a. 320th w. of 3d av., 50x100; M. Crawford to M. A. McCook.

9th av., w. a., 75 ft. n. of 17th st., 20.3x100; B. Cullen to Fat Maione.

Boyd, Alexander and wife, to S. Weeks, No. 26 Pett tt. 2 years no. Collect, Caroline, to Adam Rathgeber, n. s. of 118th st. c. of av. A. Calkim, Mary C., to John C. Shear, No. 124 East Sun st.
Drue, Francis, to G. W. Frost, n. s. of 16th st., c. of Sins at.

Drue, Francis, to G. W. Frost, n. s. of 16th at., c. of
1st sv.; 5 years.

Decker, Chara, to C. A. Ninas, e. s. of Forrest av.

(23d ward); 3 years.

Same to same, w. s. of Tinton av. (23d ward); 3

years.

Eger, Clara, to C. E. Friedman, n. s. of 55th st., w.
of Lexington av.; 6ne.

Fay, Shasa, to John F. Shoavo, s. cerner of Fulton
at and litter av.; 1 years.

Geraty, Thomas II, and wile, to James II. Geraty, e.
s. of 2d av., between with and Sils sts.; 2 years.

Henmessy, Daniel, to Asion Library, w. s. of 3d av. s.
of 57th bunlel, to Asion Library, w. s. of 3d av. s. 2.000 2,000 13,000 5 000 nemessy Dunier, is Asior Library, which is a conference of 57th st.; 2 years. Same to same, s. w corner of 3d av. and 57th st.; 5

yours.

Same to value, s. of 57th st., w. of 3d av.; 5 years.

5,000

Hamilton, George J., and wile, to Wm. A. Daring, n.

26,000

Mctarthy, Fatrics, to Phobe Pearsail, s. of 44th

st., w of 5th av.; 3 years.

Mctarthy, Lemnel, to th. A. Lee, s. of 26th st.,

McCool, Nicholas A., to Margaret Crawford, n. s.

of 50th st., w of 5td av.

Same to same, n. s. of 80th st., w of 3d av.; 6 menths.

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THE COURTS.

A NEW PHASE IN THE EMMA MINE SUIT.

igh the trial of the Emma suit has been proren' law would seem to be superfluous, yet it seems that the trouble is not yet ended. Mr. Trenor W. Park, who was a director in the New York Loan and Indemnity Company obtained a \$100,000 claim, being the amount of a compromise in a suit brought in 1872 by the Rmma Mine Company against the Illinois Tunne Company. After the indemnity company became in solvent the money fell into the hands of James W. Townsend, Jr. A son of L. C. Chittenton, attorney for property of the Emma Mine Company in this city and seized two trunks of books belonging to W. D. Foulkes, an English barrister, counsel for the stock-holders in the recent suit against Mr. Park. The mat-ter came before Judge Brady, in Supreme Court, Cham-bers, this moraing, on an application to have the books returned.

bers, this morning, on an application to have the books returned.

In an allidavit made by Mr. Foulkes it was stated that the books are of no intrinsic value, and consistentially of books given nim by Mr. Suell, the London solicitor of the company, for his instruction in the recent trial, and are not account books (which is the pretence under which they were seized), but are the register of shareholders, the minute book and printed copies of the testimony in the late trial.

Fo this reply was made that there was no degire to interfere with the gentleman from the other side. If these books have no definite relation to the credits sued on, and to the property of the Emma Mine Company in this State, they will be returned. Judge Brady said he would send some one to the Sheriff's office and flud out whether they were account books or not. If not the attachment would be vacated. And thus the case remains for the present.

TRUST AND COUNTER TRUST. Letters of administration were granted yesterday on the estate of the late T. Felix Gouraud, alias Joseph W. Trust, to Mary F. Trust (Gouraud), of No. 120 Second avenue. Mrs. Trust claims to be the widow of Dr. Gouraud, who died on the 20th of last month, as is alleged, intestate and leaving the following chil Island; Andreas H. Gourand (Trust), of No. 98 Greenwich street; Percy W. S. Trust, of Texas, and Voiney V. Trust, of No. 120 Second avenue, all of full age. V. Trust, of No. 120 Second avenue, all of full age. The petitioner stated that the personal property of Dr. Gouraud amounted to \$10,000. She signed herself Mary F. Trust "Gouraud." Mrz. Mary Trust had not lived with Dr. Gouraud for many years, and, when the letters were granted notice of the fact was given to Mrs. Martha B. Gouraud, who claims to be the legal widow of the deceased, and who is in possession of the real estate and the business of the deceased at No. 48 Bond street. Mrs. Gouraud, on ascertaining this to be the fact, hied at the Surrogate's office a will made by Dr. Gouraud, a short time before his death, in which he made Mrs. Martha Gouraud his executive and conveyed all his property to Mrs. Charles Parfitt for the benefit of Mrs. Gouraud and her children. The letters of administration will be contested, and it is expected that there will be a bitter fight.

SUPREME COURT-CHAMBERS.

By Judge Lawrence.
the matter of Solomon.—Memorandum for

De Ruyter vs. Lamberd.—The referse's report is confirmed and the exceptions thereto overruled.

Matter of Green; Matter of Howland; Matter of Hazard; Matter of Alger; Matter of Halpin; Matter of Hazard; Matter of Haveneyer; Matter of Rhondes and others; Matter of Fringeraid; Matter of Arnold; Matter of Labuckie, Matter of Wood; Matter of Halsigd; Matter of Fliyore; Matter of De Reyster; Matter of rodd; Matter of Belmont; Matter of Pordy; Matter of House; Matter of House; Matter of House; Matter of Matter of Russell; Matter of Martin.—Orders granted.

Bernheimer vs. Willis.—As this case has been tried apon the merits, I supposed that I was relieved from the necessity of passing on the question of security. If there is to be an appeal from the Judgment the Justice who tried the cause should determine the amount of the security.

tice who tried the cause should determine the amount of the security.

Buil's Head Bank vs. Clement.—It appears new that plaintiff has proven his claim in bankruptcy. That was a fact which I did not consider. The bankruptcy proceedings were taken within three mouths after the making of the first assignment and within one month aiter second assignment. This might justify the assignee in bankruptcy in contesting the validity of the assignment, but I do not see how the defendant's counsel refers to a case, Hyams vs. Bamburger. It has not been reported, but was recently decided by the General Term. I have not seen the opinion, and don't know what it is. You had better send for it.

By Judge Davis.

Martin vs. Hicka.—Memorandum. Order to be settled on one day's notice.

Hartin vs Hicka—Memorandum. Order to be settled on one day's notice.

Hall vs. Ditson—Without expressing any opinion as to whether the plaintiff may or may not be entitled ultimately to any rollet, I think upon the pleadings and silldays before me it is my duty to deny the motion for an injunction. Motion denied, with \$10 costs.

Prince Metallic Paint Company vs. Carbon Metallic Paint Company.—The plaintiffs' trade mark consists of the words "Prince Metallic Paint?" used in a particular form. The defendants for their trade mark uses the words "Prince Brothers' Iron Oro Paint?" in an entirely different form. Prince is the name of the delendants. They are brothers and they manufacture and sell a paint which they call "Iron ore paint." The injunction restrains them from using the name "Prince" as applied to the paint manufactured by them, or upon any label, card, billhead or any advertisement." The order is altogether too broad. The use of their own name in connection with their business in any form that does not infringe plaint. It is not any infringent of paint? There is no similitude between the trade marks except in the name "Prince," and that is only used to increase that Prince Brothers are the manufacturers of iron ore

in the same "Frince," and that is only used to indicate that Prince Brothers are the manufacturers of fron ore paint, and not, I think, to hold out to purchasers that theirs is a Prince metallic paint, made by plaintiffs. The motion should be denied and the injunction order dissolved, with \$10 costs of opposing. SUPERME COURT-SPECIAL TERM

Mutual Life Insurance Company vs. Smith and others.—Judgment ion plaintiff. See memorangum.

By Judge Van Vorst.

Truenoff vs. Skiddy and others.—Order signed.

Canadian Bank of Commerce vs. De Micr et al.—

indings and decree signed.

Powers vs. Cassidy and another.—The counsel for Powers vs. Cassidy and abother.—The Counsel for the parties will appear bolore me at eleven P. M., May 9, Part 3 Supreme Court.

Mulock vs. Mulock—A copy of this order should be served on the other side, with notice of settlement, for Thursday, May 10, at half-past ten A. M.

COMMON PLEAS-CHAMBURS

COMMON PLEAS—CHAMBERS,

By Judge C. P. Dely.

Dyson vs. Coler; Noville vs. Third Avenue Railroad Company; Matterich vs. Krayer.—Motions granted.

Maynard vs. Millen.—Motion granted conditionally.

Jackson vs. Jackson.—Diverce granted.

Polhaus vs. McKenny.—Appeal dismissed.

Graham vs. Granand.—Order granted.

Brotherson vs. Starr.—Motion for judgment granted.

Dayton vs. Grossman.—Motion for judgment granted.

Steinbock vs. Steinbock.—Amendment of complaint allowed as asked for and divorce granted.

In the matter of Compton motion for leave to traverse denied and further proceedings enjoined.

Union Bottling Company vs. Beller; Hughes vs. Darwin; Henry vs. Potans; Herney vs. Sire; Ritchio vs. Solomon; Leurin vs. Schermerhorn; Patten vs. New York Elevated Railroad Company; Degliner vs. Smith's Homeopathic Pharmacy; Maione vs. West; Lowden vs. Lowden.—Applications granted.

THE BALLET GIRL MURDERER ESCAPES.

(From the St. Louis Globe-Democrat, May 3.1

Edgar M. Moore, the young candy maker who was sentenced by Juage Jones, of the Criminal Court, to suffer the death penalty on the 1st of June uext, is not

going to be hanged after all, Governor Phelps having commuted the sentence of the Court to imprison-ment for life. Moore was tried for killing Mabel the queen of the cancan—at the Comique, on the even-ing of the 8th of March, 1876. He had in some way become inlatuated with the girl, who permitted become infatuated with the girl, who permitted him to occupy a portion of her time when she was not professionally engaged, not refused his soit. On that evening Moore met her in the restaurant of the Theatre Comique, and shortly afterward she was found tying on the floor with a beitet wound in her right temple, while Moore was bleeding from a builet wound in the right side of his bead. The builet was never taken out of Moore's head, but he recovered from the wound as if by magic. The girl died and Moore was locked up in juil on a charge of murdering her. His trial came off in January last, lasting from the 24th to the 29th of that month. Mr. R. W. Goode, Moore's attorney, set up the defence of meanity, but the jury, nevertheless, found the prisoner guilty. The motion for a new trial was overfuled, and, there being no funds with white to defray the expenses of an appeal, a petition was circulated for excentive elemency, and signed by Judge W. C. Jones, the Circuit Attorney, and many citizens. This petition the Governor granted very promptly, and so there will be no public sensation on the 1st of June next. Of those who took special interest in Moore's case may be mentioned Rev. Br. J. G. Wilson, of St. John's Methodist Episcopal Church South; Mr. Wilsom Scruggs, Mr. Sides, the confectioner; and at Jefferson City, Senators Cialborne and Thompson and Representative Dryden. Moore was, in more respects than one, the victim of circumstances. Had he been allowed a new trial additional and eminent counsel were to have been more than probable. As it was, however, some of his friends misappropriated the money raised by St. John's Church for his defence, only one of his attorneys was present to argue the motion for a new trial, and, as the result of these and other circumstances, he him to occupy a portion of her time when she was The conscience fund.

The sum of \$150 was yesterday received through a Catbohe priest by Comptroller Kelly. It was paid to the clergyman from a person who stated that it belonged to the city treasury. The amount has been deposited to the credit of the "Conscience Fund."

of his friends misappropriated the money raised by \$1. John's Church for his deience, only one of his attorneys was present to argue the motion for a new trial, as the result of these und other circumstances, he will languish behind the bars. Under the law of this five twenty years is considered the maximum duration of prison life, so that, if Moore behaves himself, in affect years he will be once more free, and aged hirty-five.

A GREAT LAND ROBBERY.

THE MOST STUPENDOUS JOB OF THE CENTURY-A CALIFORNIA LAND BING GETS CONGRESS TO

(From the San Francisco Chronicle, April 28.)
The designs and fruits of the Desert Land bill, which
was pushed through Congress in the helter skelter of the closing hours, are already developing themselves in a most startling manner, and it is readily perceived interest the priceless boon was obtained. The ostens Wyeming, Arizona, New Mexico and Dakota for agricultural purposes by means of irrigation, and by those one of the most important projects that had over been conceived for accelerating the progress and enhancing the general wealth of the slope. The proposition looked very plausible upon its face, and few people who gave the subject attention could have imagined that it amounted to anything more than expressed in the letter of the bill. But once clinched by the approval of Congress, presto-a cat of the most prodigious dimensions emerges from the bottom of the meal tub. The provisions of the bill may thus be briefly summarized :-- Any citizen of the United States, or other person who may file his declaration to become a citizen, is entitled to take up 640 acres of land, or as much less us his convenience may dictate, on payment of twenty-five cents per acre and making his deciaration under oath that he intends to reclaim such land by irrigation. As proliminary to the filing of such declaration it must be sanisfactorily shown to the register and receiver of the district that the land therein described is desert land, not having timber or mineral deposits thereon, and incapable of producing any agricultural crop without the means of irrigation. To this end the affidavits of at least two districts and and the san decessary. It is also compulsory upon the applicant for the land grant to show in the same manner that he has secured the necessary water right for effecting the firigation of the land to be appropriated. At any time before the expiration of the right of the right of the register and receiver of the reclamation of the land the register and receiver of the reclamation of the land the register and receiver of the reclamation of the land the register and receiver of the reclamation of the land the register and receiver of the reclamation of the land the register and receiver of the reclamation of the land the reclamation of the land of the reclamation of the reclamat

a zebra:—Lioyd Tevis, 400 acres; Carter Tevis, 400 Joahua Tevis, 240; H. L. Tevis, 320; W. B. Carr. 600; R. B. Mimor, 320; George Hearst, 640; C. R. Great-house, 640; R. J. Graham, 640; Henry A. Brown, 640; W. A. Scott, Jr., 80; John C. Ball, 640; George S. Dodge, 480; E. C. Morton, 120; G. W. McKean, 160; T. C. McAffee, 160; W. P. Willard, 600; W. W. Blow, 480; C. J. Wiley, 80; O. F. Wiley, 80; George J. Nagle, 80; L. F. Rowell, 240; W. P. Wallace, 600; J. P. Dyor, 160. ASO; C. J. Wiley, 80; O. F. Willey, 80; George J. Nagle, 80; L. F. Rowell, 240; W. P. Wallace, 600; J. P. Dyor, 160.

These desert reclaimers, who are also grabbing up the barrenness of Korn county, seem to be connected in some way with our wonderfully progressive benanza firm, who did not start in as early as the before named champions of civilization. It is apprehended, however, that in a subsequent deluge of "declarations" filed in the Visalia Land Office on the 19th of this month the bonanza desert grab attained to fair proportions. The following were the pioneer expiorers for the bonanza firm, with the extent of acreage secured:—E. E. Eyrie, 640 acrea; W. Wills, 320; P. G. Fay, 350; Oliver Etoridge, 80; R. H. Lucas, 360; E. G. Platt, 240; A. E. Davis, 610. Shatchers at Large—The following named reclaimers, whose declarations were filed on the 24 inst. at Visalia, can only be distinguished vaguely as desert shatchers at targe; but there is little question that most, if not all, are simply men of straw, who have "declared" to aid the schemes of some one or moother herculean grabber engaged in the present constracty to get possession of the entire area or public lands in the State that are worth grabbing:—Charless Burrell, 640 acres; C. M. Leavy, 480; L. A. Leavy, 120; J. C. Cousins, 480; John B. Lowis, 120; E. F. Batture, 80; F. W. Lawrence, 480; W. L. McAfee, 240; L. C. McAice, 120; W. G. Long, 480; W. J. Jones, 120; E. K. Batture, 80; F. W. Lawrence, 480; Thomas Brown, 80; Goorge Wallace, 80; H. J. Hyland, 160; C. D. Adams, 240; U. F. Von Rhein, 160; Howard Morton, 480; H. L. Wheeler, 80; F. B. Sharpe, 640; Joseph Glark, 40; D. T. Herring, 80; E. D. Farrington, 160; A. Geogleugan, 80.

10e grand total of the desert grab so far enumerated to 24,440 acres. An additional grab of fully equal proportions was filed on the 19th inst., and since that date the business of declaration has been going on at an increased ratio. A good portion of the lamous haggin & Carr's Kern Island farm, a tract that is noted as one

COMMISSIONERS SWORN IN.

Health Commissioner Chandler, School Commis sioner Wickham and Commissioner of Charitles and Correction Breaman were yesterday sworn into office by Mayor Ely.

SINGING ON THE TELEPHONE. (From the Boston Herald, May 5.]

In response to an invitation extended by a number f prominent gentlemen Professor Asexander Graham Bell gave an exhibition of the telephone, which he has perfected so satisfactorily, before a large audience in Music Hall last evening. The Professor was introduced by ex-Governor Gaston. He said he should confine his remarks almost wholly to a renearsal of the history of telephonic research previous to his own investigations, which latter would be reserved for the following lecture. He traced in a brief manner the history of the telephone, as previously given to the public through the press, illustrating his remarks by stereopticen views of instruments. The Professor their gave directions by telephone to his assistant in East Somerville for the production of some music, which were responded to by the air "The Lord is my Shepherd, my fuardian and Guide," &c., quite faint, yet distinct to those near the instruments, of which there were several in the hail. A cornet solo, "L. aMarseliaise," was then rendered in East Somervine and heard very clearly by the andience, which demanded an encore, in response to which the air "Thou art so near and yet so lar" was given. In Providence Signor Ferranti sang the "Large al Factotum," from "The Marriage of Figure," and the air, finot the voice, was distinctly recognized. the history of telephonic research previous to his own

RAMBLES AMONG THE LIBRARIES.

The Astor, Apprentices', Wo man's and Others.

RESORTS FOR THE BOOKWORMS OF THE CIT

Reading Among the Working Classes.

It was a singular remark of Hobbes that " he had he would be as ignorant as they. The theorizin metaphysician had but little relish for books, and fre quently said that authors were like sheep, who kepi continually trudging on in the beaten tracks, and that their works were nothing but copies and extracts of previously written books. Happily for authors such men as Hobbes are vastly in the minority, as one can city. Disregarding the numerous circulating libraries which supply their readers chiefly with "the latest novels," the large public libraries, such as that of the Historical Society, the Astor, and others are the places where the principal types of the world readers are largely represented. There may be found the thoroughbred bibliomaniac who, day after day, rain or shine, wends his way to the halls of learning to satisfy his appetite for knowledge; the litterateur buried beneath unwieldy volumes, and the schoolboy with a "literal transla tion" of some abstruce author, endeavoring to get through with his work of preparation as soon as po

The Astor Library, on account of its distinctive nature as a reference library and the great facilities which it affords for researches and studies of all kinds, is especially the magnet for students; few who come here read simply for amusement; all that frequent it are hard workers. Even the outward appearance of the building, solid, unadorned yet elegant, is sufficient to deter any one from entering merely to divert him-self, and the long array of alcoves inside, all clearly filled with solemn, massive, learned looking volumes, the numbers of men quietly reading and taking noies, the absence of all noise which prevails elsewh will drive out any profane visitor from the temple of this library is quite cosmopolitan in its nature. The largely represented in a place like this, closely engaged with some, to an outsider dull, but to him highly in-teresting, philological work, sits beside a mercurial Frenchman hurrying over the witty pages of Molière or the grand pathetic effusions of Racine. Some years ago a young Japanese and an Armenian came every exchanged a solemn bow in the morning, and then sol to work with an energy worthy of being crowned with success. Swedes and Russians have also of late been frequently noticed, attracted, no doubt, by the large stock of Scandinavian works of which the library boasts. English literature is largely studied here. The be-lievers in Byrou's creed:—

Thou shalt believe in Milton. Dryden, Pope;
Thou shalt not set up Wordsworth, Coleridge, Southey,
calmiy sit beside others whose opinious about orthodoxy are directly opposite, and who, perhaps, have
a virtuous horror of Byron and all that belongs to
Byron. The artist, too, comes here frequently to consuit the large, costly folios on art which are haid up
here. The artist, as a rule, is poor, and cannot affor
to purchase such expensive works; hence he glady
avans himself of this opportunity to make the necessary studies for some grand composition which he
carries in his mind. The literary lady, distinguished
generally by a large roll of nanuscript which she carries with her, a pile of books beside her and a certain je
se sais quot, is simest a regular inhabitant of the
place, and some noted writers on history and antiquities are acquaintances of the librarians. A certain
Jesuit father in this city, the author of several very
learned works on history, indicating the most indefatigable labor and research, is a familiar appearance
to all who come at all frequently to the library.

As may be expected, many odd and eccentric characters come here. A few years ago a Portuguese refugeo visited the library almost daily. Although dressed
in a style that was on the very verg of shabboners,
he still bore himself with all the grandezza of a Spansh hidalge. As his appearance struck some of the attachés with commiseration, a délicate offer was made
to him one day of a new suit of ciothes; the, however, offended him so that he did not put in his appearance for several days. He read nothing be I lope
de Vega and Calderon, seeking consolation, no doub,
from the perusal of the fortunes or the mislortunes
of the Spanish beroes and heroines. Another queer
character was a German with long hair, who wore his
Samsonian tresses tied in a knot. When asked why in
dressed in that pecul Thou shalt believe in Milton, Dryden, Pope; Thou shalt not set up Wordsworth, Coleridge, Southey

man Shakespeare.

The library of the Historical Society contains Bothing
but what bears directly or indirectly on American pus-

out what nears orrectly or indirectly on American history, civil and political, as well as social and deniestic. Gergymen who have to deliver anniversary serious of their churches; lawyers interested in cases which date har back in the history of the country or the city; medical men writing on the prevalence of certain discusses at certain times and under certain circumstances, are the classes of people which come here. Of course the historian, or the lecturer upon historical subjects, fleaks this library is perfect mine of information. Although nominally accessible to strangers only after an introduction from a member, the library is practically accessible to all; no one wishing to consult any of the numerous works is turned away, and the officers of the interary are only too willing to give whatever assistance lies in their power.

Productive of much good among the working classes are the Apprentices? Library and the Cooper Union Library. The former is free to all apprentices or employes, naicor female, upon a recommendation from their employer. Of course novels and light literature are greatly and in fact manily in demand. Mayno Reid, Hailantyne, Oliver Optic, with their weaderful tales of boyish ingenuity and energy, are the favorite autitors. Next to novels, travels and natural history are relished very much. History, however, as well as works on science and the arts are also largely read. Many an anie mechanic, who now lives happy and comfortably, can no doubt trace his success to the fact that it was from the books taken from this library that the impulse and design for the member of the fact that it was from the books taken from this library that the impulse and design for a time the gloomy thoughts which habitually rest upon their minds. The horse papers which are there on file. It is a place were the fact that it was from the member, the new former happy day, but now expense when the there on his library labeling in the force of the reading of some newspaper, some useful or entertaining book, dispell

THE SCHOOLSHIP MERCURY.

The sale of the schoolship Mercury was again poster appraised by Comptroller Kelly at the sum of \$10,000. but only \$5,000 was offered yesterday. About fifty persons were present at the acction, Mr. W. L. Kennelly officiating as auctioneer. The first bid was \$1,000, and the amount gradually rose to \$5,000. As no one seemed willing to go beyond that figure, she was withdrawn by the Compareller.